

1 MICHAEL H. CHURCH
2 MELODY D. FARANCE
3 EDWARD H. TURNER
4 Stamper Rubens, P.S.
5 720 West Boone, Suite 200
6 Spokane, WA 99201
7 Telephone: (509) 326-4800
8 Facsimile: (509) 326-4891
9 Attorneys for Plaintiff/Judgment Creditor



10-MC-05002-ORD

11 UNITED STATES DISTRICT COURT
12 WESTERN DISTRICT OF WASHINGTON

13 ADVOCARE INTERNATIONAL, L.P., a
14 Texas limited partnership,

15 Plaintiff/Judgment Creditor,

16 vs.

17 RICHARD PAUL SCHECKENBACH, et
18 al.,

19 Defendants/Judgment Debtors.

) NO. 10 mc-5002 RBL

) ~~PROPOSED~~

) ORDER FOR SUPPLEMENTAL
20 PROCEEDINGS

21 Good cause appearing, now, therefore, it is hereby

22 ORDERED, that TAI BROWN appear at Schwabe Williamson & Wyatt, 1420 5th
23 Ave., Ste. 3010, Seattle, WA 98101, to be sworn in by the Court Reporter on the 9th day
24 of March 2010, at 10:00 a.m., to attend the deposition, before a member of the firm of
25 Naegeli Reporting, Court Reporters and Notaries Public, and if not completed that day,
26 the taking of the same will be continued thereafter from day to day and from time to time
27 until fully taken, regarding any property they may have or knowledge thereof. It is
28 further:

29 ORDERED, that KELLY BOTTOLFSON-BROWN appear at Schwabe
30 Williamson & Wyatt, 1420 5th Ave., Ste. 3010, Seattle, WA 98101, to be sworn in by the
31 Court Reporter on the 8th day of March 2010, at 10:00 a.m., to attend the deposition,
before a member of the firm of Naegeli Reporting, Court Reporters and Notaries Public,

ORDER FOR SUPPLEMENTAL PROCEEDINGS: 1

1 and if not completed that day, the taking of the same will be continued thereafter from
2 day to day and from time to time until fully taken, regarding any property they may have
3 or knowledge thereof, as set forth herein and attached as Exhibit A, and to bring a
4 complete set of documents/records which support each area of inquiry set forth therein.
5 It is further:

6 **ORDERED**, Tai Brown and Kelly Bottolfson-Brown shall be deposed separately
7 and each shall be excluded from the deposition of the other. It is further

8 **ORDERED**, Tai Brown and Kelly Bottolfson-Brown are required to produce
9 to the office of counsel for Plaintiff/Judgment Creditor on or before March 1, 2010,
10 the following records:

11 1. All tax returns for the past ten (10) years for Tai Brown and Kelly
12 Bottolfson-Brown, HerbAsia Corporation, Ascential Bioscience, LLC, Ravensky, LLC
13 East-West Botanicals, LLC, Ilcervello Properties, LLC, and R-Squared Nutrition, Inc.
14 including all schedules and amendments.

15 2. All financial statements prepared during the past ten (10) years for Tai
16 Brown; Kelly Bottolfson-Brown, HerbAsia Corporation, Ascential Bioscience, LLC,
17 Ravensky, LLC East-West Botanicals, LLC, Ilcervello Properties, LLC, and R-Squared
18 Nutrition, Inc.

19 3. All records and information for the past ten (10) years concerning and/or
20 relating to all bank accounts, line(s) of credit, safe deposit boxes, loans and gifts
21 (including bank statements) which Tai Brown and Kelly Bottolfson-Brown own, have
22 access to and/or maintain an ownership interest in, including without limitation all
23 accounts with First Tech Credit Union.

24 4. All vehicle and boat registrations and/or certificates of title concerning
25 vehicles and boats which Tai Brown and Kelly Bottolfson-Brown own, have or claim an
26 interest.

27 5. All documents concerning any real property owned by Tai Brown and
28 Kelly Bottolfson-Brown or in which Tai Brown and Kelly Bottolfson-Brown maintain
29 any interest.
30
31

6. All documents, records, agreements, correspondence, etc. in any way related to any business(es) owned or operated by Tai Brown and Kelly Bottolfson-Brown in which Tai Brown and Kelly Bottolfson-Brown maintain any interest including without limitation, HerbAsia Corporation, Ascential Bioscience, LLC, Ravensky, LLC East-West Botanicals, LLC, Ilcervello Properties, LLC, and R-Squared Nutrition, Inc..


7. All business records and corporate documents concerning Richard Paul Scheckenbach; Carol Gillette; Tai Brown; Kelly Bottolfson-Brown; HerbAsia Corporation, Ascential Bioscience, LLC, Ravensky, LLC East-West Botanicals, LLC, Ilcervello Properties, LLC, and R-Squared Nutrition, Inc., including, but not limited to, the following:

- a. Articles of Incorporation/Certificates of Formation;
- b. Bylaws;
- c. Operating Agreements;
- d. Meeting Minutes for the past 10 years; and
- e. All other documents and corporate records for past 10 years.

8. All records and documents in any way related to any gift and/or loan to Tai Brown and/or Kelly Bottolfson-Brown directly or indirectly from Richard Paul Scheckenbach; Carol Gillette; Tai Brown; Kelly Bottolfson-Brown; HerbAsia Corporation, Ascential Bioscience, LLC, Ravensky, LLC East-West Botanicals, LLC, Ilcervello Properties, LLC, and R-Squared Nutrition, Inc.


WARNING: YOUR FAILURE TO APPEAR AS SET FORTH ABOVE CONSTITUTES CONTEMPT OF COURT AND WILL CAUSE THE COURT TO ISSUE A BENCH WARRANT FOR YOUR ARREST AND CONFINEMENT IN JAIL UNTIL SUCH TIME AS THE MATTER MAY BE HEARD OR UNTIL BAIL IS POSTED. IN THE EVENT Tai Brown and Kelly Bottolfson-Brown FAIL TO PROVIDE THE DOCUMENTS SET FORTH ABOVE, Tai Brown and Kelly Bottolfson-Brown SHALL BE RESPONSIBLE FOR THE ATTORNEY'S FEES AND COSTS INCURRED BY PLAINTIFF/JUDGMENT CREDITOR IN PREPARING FOR AND ATTENDING THE HEARING.

1
2 DONE IN OPEN COURT this 22nd day of February 2010.
3
4

5
6 
7 HONORABLE RONALD B. LEIGHTON
8

9 Presented By:

10 STAMPER RUBENS, P.S.
11

12 By: 
13 MICHAEL H. CHURCH, WSBA #24957
14 MELODY D. FARANCE, WSBA #34044
15 EDWARD H. TURNER, WSBA #33573
16 Attorneys for Plaintiff/Judgment Creditor
17 mchurch@stamperlaw.com
18 mfarance@stamperlaw.com
19 eturner@stamperlaw.com
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SUPPLEMENTAL PROCEEDING QUESTIONNAIRE

Debtor: Kelly Brown

aka: _____

DOB: _____ SS#: _____

DL#: _____

Debtor:

aka: _____

DOB: _____ SS#: _____

DL#: _____

Have you entered into separate or community property agreements with your spouse?

Date: _____

County, if filed: _____

Have you or your spouse declared bankruptcy within the last 7 years:

Court: _____

Chapter: _____

Date Filed: _____

Resolution: _____

REAL PROPERTY

Residence address: _____

Buying? _____

Mortgage: _____

Deed of Trust: _____

Land Sale Contract: _____

Other encumbrances: _____

Liens: _____

Judgments: _____

Tax appraisal: _____

Other appraisals: _____

Amount owed: _____

Purchase price: _____

Rent from other residents in the house: _____

Other real property (including vacant lots): _____

Buying? _____

Mortgage: _____

Deed of Trust: _____

Land Sale Contract: _____

Other encumbrances: _____

Liens: _____

Judgments: _____

Tax appraisal: _____

Other appraisals: _____

Amount owed: _____

Purchase price: _____

Rents received and from whom: _____

Declaration of Homestead

County: _____

Date: _____

Abandoned: _____

Are you selling property to anyone now? _____

EMPLOYMENT

Self-employed:

Name and address of business: _____

Tax ID#: _____

How paid: _____

When paid: _____

Amount: _____

Names and addresses of customers: _____

Employed:

Name and address of employer: _____

Salary or hourly amounts: _____

When paid: _____

Spouse

Self-employed:

Name and address of business: _____

Tax ID#: _____

How paid: _____

When paid: _____

Amount: _____

Names and addresses of customers: _____

Employed:

Name and address of employer: _____

Salary or hourly amounts: _____

When paid: _____

BANK ACCOUNTS

Personal

	<u>Institution and Branch</u>	<u>Account Number</u>	<u>Amount</u>
Checking:	_____	_____	\$ _____
Savings:	_____	_____	\$ _____
IRA:	_____	_____	\$ _____
Keogh:	_____	_____	\$ _____
CD:	_____	_____	\$ _____

	<u>Institution and Branch</u>	<u>Account Number</u>	<u>Amount</u>
Checking:	_____	_____	\$ _____
Savings:	_____	_____	\$ _____
IRA:	_____	_____	\$ _____
Keogh:	_____	_____	\$ _____

Corporate, Partnership, Joint Venture, or Massachusetts Trust

	<u>Institution and Branch</u>	<u>Account Number</u>	<u>Amount</u>
Checking:	_____	_____	\$ _____
Savings:	_____	_____	\$ _____
IRA:	_____	_____	\$ _____
Keogh:	_____	_____	\$ _____

	<u>Institution and Branch</u>	<u>Account Number</u>	<u>Amount</u>
Checking:	_____	_____	\$ _____
Savings:	_____	_____	\$ _____
IRA:	_____	_____	\$ _____
Keogh:	_____	_____	\$ _____

BENEFICIARY OF TRUST

Type of trust: _____ Spendthrift? _____

Name and address of trustee: _____

Payments per month: _____

Trust terminates: _____

VEHICLES

Automobiles, trucks, motorcycles, RVs, boats, airplanes

Make and model: _____	Make and model: _____
Year: _____	Year: _____
Condition: _____	Condition: _____
License plate: _____	License plate: _____
VIN: _____	VIN: _____
Amount owed: _____	Amount owed: _____
To whom: _____	To whom: _____
Make and model: _____	Make and model: _____
Year: _____	Year: _____
Condition: _____	Condition: _____
License plate: _____	License plate: _____
VIN: _____	VIN: _____
Amount owed: _____	Amount owed: _____

To whom: _____

To whom: _____

Heavy machinery

Make and model: _____

Make and model: _____

Year: _____

Year: _____

Condition: _____

Condition: _____

License plate: _____

License plate: _____

VIN: _____

VIN: _____

Amount owed: _____

Amount owed: _____

To whom: _____

To whom: _____

INTEREST IN BUSINESS

Sole proprietorship: _____

Partnership: _____

General: _____

Name and address of other partner(s): _____

Limited: _____

Name and address of general partner(s): _____

Corporation:

Closely held: _____

SubS: _____

Value of Stock: _____

Percentage owned: _____

Joint Venture: _____

Massachusetts Trust: _____

Equipment: _____

Tools: _____

Inventory: _____

Jewelry: _____

Computer: _____

Collections

Coins: _____

Stamps: _____

Antiques: _____

Baseball cards: _____

Football cards: _____

Rare books: _____

Artwork (other than prints): _____

Dolls: _____

Guns: _____

Livestock or other animals: _____

Accounts Receivable:

IOUs: _____

Promissory Notes: _____

Lawsuits and/or judgments: _____

Other claims: _____

Life Insurance:

Term: _____

Whole: _____

Cash surrender value: _____

Do you have a safe deposit box?

Contents: _____

Location and number: _____

Retirement and pension plans: _____

What other income of any nature are you receiving? _____

To whom do you owe money?

Judgment or claim: _____

Judgment or claim: _____

Creditor: _____

Creditor: _____

Amount: _____

Amount: _____

Secured: _____

Secured: _____

Judgment or claim: _____

Judgment or claim: _____

Creditor: _____

Creditor: _____

Amount: _____

Amount: _____

Secured: _____

Secured: _____

Do you have any real or personal property held in another person's name? _____

Miscellaneous:

SIGNATURE:

Dated: _____

KELLY BROWN

STATE OF WASHINGTON)
) ss.
County of _____)

I hereby certify that I know or have satisfactory evidence that _____ is the person who signed the foregoing instrument, and acknowledged it to be a free and voluntary act for the uses and purposes mentioned therein.

SUBSCRIBED AND SWORN TO before me on this ____ day of _____ 2009.

NOTARY PUBLIC in and for the State of
Washington, residing at: _____
My commission expires: _____

SUPPLEMENTAL PROCEEDING QUESTIONNAIRE

Debtor: Tai Brown

aka: _____

DOB: _____ SS#: _____

DL#: _____

Debtor:

aka: _____

DOB: _____ SS#: _____

DL#: _____

Have you entered into separate or community property agreements with your spouse?

Date: _____

County, if filed: _____

Have you or your spouse declared bankruptcy within the last 7 years:

Court: _____

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REAL PROPERTY

Residence address: _____

Buying? _____

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EMPLOYMENT

Self-employed:

Name and address of business: _____

Tax ID#: _____

How paid: _____

When paid: _____

Amount: _____

Names and addresses of customers: _____

Employed:

Name and address of employer: _____

Salary or hourly amounts: _____

When paid: _____

Spouse

Self-employed:

Name and address of business: _____

Tax ID#: _____

How paid: _____

When paid: _____

Amount: _____

Names and addresses of customers: _____

Employed:

Name and address of employer: _____

Salary or hourly amounts: _____

When paid: _____

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	<u>Institution and Branch</u>	<u>Account Number</u>	<u>Amount</u>
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	<u>Institution and Branch</u>	<u>Account Number</u>	<u>Amount</u>
Checking:	_____	_____	\$ _____
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VIN: _____	VIN: _____
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To whom: _____	To whom: _____
Make and model: _____	Make and model: _____
Year: _____	Year: _____
Condition: _____	Condition: _____
License plate: _____	License plate: _____
VIN: _____	VIN: _____
Amount owed: _____	Amount owed: _____

To whom: _____

To whom: _____

Heavy machinery

Make and model: _____

Make and model: _____

Year: _____

Year: _____

Condition: _____

Condition: _____

License plate: _____

License plate: _____

VIN: _____

VIN: _____

Amount owed: _____

Amount owed: _____

To whom: _____

To whom: _____

INTEREST IN BUSINESS

Sole proprietorship: _____

Partnership: _____

General: _____

Name and address of other partner(s): _____

Limited: _____

Name and address of general partner(s): _____

Corporation:

Closely held: _____

SubS: _____

Value of Stock: _____

Percentage owned: _____

Joint Venture: _____

Massachusetts Trust: _____

Equipment: _____

Tools: _____

Inventory: _____

Jewelry: _____

Computer: _____

Collections

Coins: _____

Stamps: _____

Antiques: _____

Baseball cards: _____

Football cards: _____

Rare books: _____

Artwork (other than prints): _____

Dolls: _____

Guns: _____

Livestock or other animals: _____

Accounts Receivable:

IOUs: _____

Promissory Notes: _____

Lawsuits and/or judgments: _____

Other claims: _____

Life Insurance:

Term: _____

Whole: _____

Cash surrender value: _____

Do you have a safe deposit box?

Contents: _____

Location and number: _____

Retirement and pension plans: _____

What other income of any nature are you receiving? _____

To whom do you owe money?

Judgment or claim: _____

Judgment or claim: _____

Creditor: _____

Creditor: _____

Amount: _____

Amount: _____

Secured: _____

Secured: _____

Judgment or claim: _____

Judgment or claim: _____

Creditor: _____

Creditor: _____

Amount: _____

Amount: _____

Secured: _____

Secured: _____

Do you have any real or personal property held in another person's name? _____

Miscellaneous:

SIGNATURE:

Dated: _____

TAI BROWN

STATE OF WASHINGTON)
) ss.
County of _____)

I hereby certify that I know or have satisfactory evidence that _____ is the person who signed the foregoing instrument, and acknowledged it to be a free and voluntary act for the uses and purposes mentioned therein.

SUBSCRIBED AND SWORN TO before me on this _____ day of _____ 2009.

NOTARY PUBLIC in and for the State of
Washington, residing at: _____
My commission expires: _____